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U.S. MATIONAL SECURITY POLICY AND SANCTIONS: THE U.S. ARMS EMBARGO AGAINST SOUTH AFRICA

By SHIPLEY SUE GAY



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U.S. NATIONAL SECURITY POLICY AND SANCTIONS: THE U.S. ARMS EMBARGO AGAINST SOUTH AFRICA

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THESIS ADVISOR: DR. ROBERT WENDZEL

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AIR WAR COLLEGE RESEARCH REPORT ABSTRACT

TITLE: U. S. National Security Policy and Sanctions: The U. S. Arms Embargo Against South Africa

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Outlines background of U.S. arms embargo against South Africa and enforcement policies of each administration.

Describes effects of arms embargo on South Africa. Looks at problems involved in enforcing arms embargo and how these might affect general economic sanctions against South Africa.

BIOGRAPHICAL SKETCH

Shirley Sue Gay graduated from West Virginia University with a Bachelor of Science degree in Journalism. She joined the Central Intelligence Agency in 1968 and has held various editorial and managerial positions. She has lived and traveled in Europe, the Middle East, the Far East and Africa. She became interested in U.S.-South African relations when living in Swaziland and traveling in South Africa for two years. Ms. Gay is a graduate of the Air War College, class of 1987.

CHAPTER I

Introduction

Sanctions are measures generally used to try and bring about a behaviorial change in a country. They can be applied negatively, i.e., as a weapon to force desired change, or positively, as a reward for a country voluntarily changing an objectionable policy or behavior. Up to World War I, war was considered a not unusual way to settle disputes but the devastation caused by that conflict led countries to seek alternative means to settle problems.

Sanctions were used against Germany in World War I and were perceived at the time to have been successful. (Subsequent studies have shown that sanctions are not thought to have been a decisive factor in either world war, though. (5:15))

When the League of Nations was established in 1919, sanctions were viewed as an effective alternative to war in settling disputes and provisions for their application were included in the Covenant. The League imposed sanctions only once, against Italy in 1935 over its invasion of Ethiopia. Though the sanctions proved ineffective, the tone had been set and when the United Nations was established in 1945, the use of sanctions was provided for in the charter.

As African nationalism rose in the late 1950's and early 60's, it was logical that black African abhorrence of

the apartheid system in South Africa would lead to calls for sanctions against that country. The riots in Sharpeville in 1960 in which over 50 people were killed protesting the pass laws fueled protests against apartheid, and the formation of the Organization of African Unity in 1963 provided a world-wide forum for a black African campaign against South Africa. Faced with a burgeoning civil rights movement at home and anxious to show American disapproval of apartheid, President Kennedy proposed a unilateral arms embargo against South Africa "so long as South Africa practiced apartheid." (17:583) The UN agreed and an embargo was announced in the United Nations in August 1963, to take effect at the end of the year. In 1977 the United States also voted in favor of a Security Council resolution calling for a mandatory arms embargo against South Africa.

The United States' avowed purpose in imposing the 1963 arms embargo was to get South Africa to abandon apartheid and deny it the arms necessary to enforce that policy. (11.16) Persuading South Africa to grant independence to Namibia also became an aim of the embargo. (1:49) Namibia, or South West Africa, was a German colony and was assigned as an international territory to South Africa to administer by the League of Nations after the defeat of Germany in World War I. It was renamed Namibia by

the UN in 1963, and in 1966 the General Assembly adopted a resolution designed to end South African administration and place Namibia under direct UN responsibility. South Africa declared the resolution null and void, and maintained control.

The arms embargo has been applauded by supporters as a positive expression of U.S. opposition to apartheid and a signal to the South African Government that it cannot count on improved relations so long as apartheid is practiced. It has been criticized by opponents as failing to achieve its objectives and limiting U.S. opportunities to influence the South African Government. The Democratic administrations have used it as a negative sanction to punish South Africa for its policies and applied it strictly and Republican administrations have sought to use it as positive sanction to encourage South Africa to change its policies or reward it for doing so.

Has the arms embargo achieved any of its objectives after almost 25 years? This paper will attempt to answer that question by looking at the way U.S. administrations have approached the embargo and the effects it has had on South Africa. It will examine problems involved in implementing the embargo and how these might affect general sanctions.

CHAPTER II

Background

South Africa's position on the African Cape has long made it of strategic interest to the West. As the monitor and guardian of the Cape sea routes, South Africa was considered a player in the West's containment of Soviet influence after World War II, and it was in this context that the United States signed an agreement with South Africa in 1951 making it eligible for reimbursable military assistance under terms of the Mutual Defense Assistance Act of 1949. Assistance granted under the act was to be used solely for South Africa's internal security and legitimate self-defense and to allow it to participate in defense of the area or in UN collective security arrangements. (19:2566) It was also in this context that the Simonstown agreement which Britain signed with South Africa in 1955 provided for the use of the naval base by the UK and by "navies of allies" of the UK, and provided for the sale by Britain of 20 warships to South Africa. (2:50-51)

South Africa is a major supplier of vital minerals, diamonds and gold to the West, and is an important trading and investment partner. With the fall of Portuguese colonialism and the installation of Marxist governments in Angola and Mozambique in the mid-1970's South Africa has

been seen by some, and certainly its own government, as a target of and a bulwark against the further spread of communism in southern Africa.

The West has long recognized the difficult balancing act it must play to protect strategic interests in South Africa while distancing itself from South Africa's internal racial policies.

When the United States established a satellite tracking station in South Africa in 1962 it had agreed to sell that country arms for use against communist aggression. The agreement was meant to exclude arms that could be used to enforce apartheid, but the distinction between such weapons was never clear. (17:581) Increased calls in the United Nations for an arms embargo against South Africa disturbed President Kennedy, who feared a total arms embargo would set a precedent for collective sanctions which might put the UN on a perilous path. (17:582) Instead, he proposed a voluntary embargo on the part of the United States.

The decision to implement the embargo was a political one and was done for more than one reason. The Kennedy administration disapproved of the racial policies of South Africa and wished to show that disapproval in a concrete way. The U.S. civil rights movement was gaining momentum

and a gesture of opposition to apartheid was a gesture of support for black rights everywhere. The Kennedy administration also hoped the arms embargo would appease the black Africans over continued U.S. support for Portuguese colonialism (out of fear of losing the Azores military bases), although a high-level State Department official argued at the time that the Africans would never be satisfied with anything less than a full economic embargo. (17:581) The voluntary embargo came into effect at the end of 1963.

The Johnson administration continued the enforcement of policies begun in the Kennedy era. It not only refused to sell reconnaissance aircraft to South Africa, but tried to restrict European arms exports by requiring that U.S. approval be granted for the export to South Africa of European military goods containing U.S. parts. Thus, permission was denied to export Cessna light planes in 1965 and French Mystere 10 jets containing General Electric engines in 1966. (2:54)

This policy was reversed under the Nixon administration, which approved the sale of the jets and light aircraft. The constructive engagement policy of the Nixon administration was authored by National Security Council staffer Roger Morris, who argued that the United States

could "by selective relaxation of our stance towards the white regime encourage some modification of their current racial and colonial policies...." (3:20) In this context, the administration approved new guidelines in 1970 for implementing the arms embargo. The quidelines specifically addressed "gray area" items, those that could be put to either military or civilian use. Dual-purpose aircraft employed primarily for civilian use which had not been produced to military specifications could now be licensed for export, as could dual-purpose items which had no specific military application even though they might be in the inventory of some military forces, but dual-purpose items with clear and direct application to combat or internal security operations would not be licensed except with the administration's explicit recommendation. (3:101)

Even under such liberalized guidelines, the legality of some sales was questionable. The administration allowed Lockheed to sell the commercial L-100 to South Africa though it was an almost exact copy of the C-130 flown by the U.S. Air Force. Tanks, armored personnel carriers, self-propelled guns and helicopters were also sold to South Africa in the early 1970's as were Beechcraft Bonanza A-36's (also sold to the Mexican and Iranian air forces), Helio

Super Couriers (used in Vietnam) and Rockwell Furbo-Commandos. (3:105)

The administration's idea that the sales would be rewards for South Africa liberalizin; its internal policies never materialized. This may have been primarily because rewards were not linked to specific reforms. Only once was the sale of arms used as a positive sanction. In 1976 aircraft support equipment and Merlin 4A aircraft were secretly sent to South Africa in return for the promise to bring Rhodesia to the negotiating table. (3:107)

The coming to office of the Carter administration signaled another change in policy toward South Africa. The arms embargo was tightened and the regulations governing the embargo rewritten to prohibit the sale of equipment that could be used by the military, such as the L-100. The administration issued only \$4.8 million worth of licenses in 1978, \$25,000 in 1979 and none in 1980. (21:A1,26) Military ties were almost completely severed over an incident involving an alleged spy camera in the U.S. Ambassador's plane.

Convinced that the policies of the Carter administration had achieved no results vis-a-vis South Africa, the Reagan administration resurrected constructive engagement and eased the embargo restrictions on the grounds the

embargo had failed to achieve its objectives. New quidelines were introduced to allow for the sale of certain
categories of goods to the military and police, to allow for
the export of U.S. components constituting up to 20 percent
of the value of goods assembled overseas, and permitting the
re-export or resale to the military of certain items
originally sold to nonmilitary purchasers provided the items
did not contribute significantly to military operations; it
further allowed companies that had sold equipment to the
military to supply service manuals, and allowed for the sale
of air ambulances and miscellaneous electronic products.
(3:206)

In 1982 Beech aircraft Super King Air 200C's-supplied to the U.S. Air Force as the Cl2A--were licensed
for sale to South Africa. In 1981-82 over \$162 million
worth of computers were sold, including two computers to a
subsidiary of Armscor, the South African domestic arms
producer. (3:206) Nuclear related equipment was also
approved for export.

As calls have increased in the United States for economic sanctions against South Africa, the Reagan administration has been increasingly criticized for its arms sales to that country, and computer sales in particular have been attacked. The Reagan administration implemented new

restrictions on computer and nuclear exports in 1985. The restrictions banned the sale of computers to all South African Government entities enforcing apartheid and prohibited nuclear exports except for items needed for health and safety. Sanctions legislation passed by Congress in 1986 continued the ban on computers sales and prohibits export of nuclear technology and component parts, items and substances (16:Sec 307)

Though successive administrations have used the arms embargo in different ways, all have supported the objectives of changing the apartheid system and denying the South Africans the weapons with which to support it. The United States has also actively worked toward a settlement of the Namibian problem. It would now be useful to look at how the arms embargo has affected South Africa and whether any of the stated objectives have been achieved.

CHAPTER III

Effects on South Africa

South Africa traditionally had close military ties with the United Kingdom. Until 1961 it was a member of the Commonwealth and it had fought in World War II and Korea. Following World War II, Britain signed the Simonstown Agreement with South Africa which allowed for British use of the naval base there and for arms sales to South Africa. South Africa had hoped for a NATO-type military alliance with the West after World War II, but as national interests diverged, pressures from newly independent black African countries mounted, and internal displays of opposition to apartheid grew, the West became increasingly reluctant to tie itself too closely to South Africa. The 1963 U.S. arms embargo helped to reinforce the gradual South African realization that they could no longer count on the West for political and military support. Chester Crocker writes that the South Africans "only reluctantly" accepted the inevitable military parting with the West because it forced them to reorient their traditional way of thinking of themselves and where they fit in the world. (4:11-12) As opposition to South Africa's race problems were expressed in various ways, the South Africans withdrew into themselves ad the importance that was once attached to their ties with the

West was transferred to their role as a regional African power and their relations with their black neighbors.

The most immediate effect of this reorientation in thinking was the realization that alternate sources of arms supplies would have to be found. South Africa had long produced some armaments but the bulk of its supplies had come from the West. But the U.S. arms embargo in 1963 and repeated calls at the United Nations for a mandatory arms embargo brought home to the South Africans the need for self-sufficiency in arms production. Armscor, the Armaments Development and Manufacturing Corporation, was established in 1968. South Africa was already producing armored personnel carriers under French license; in 1971 it obtained a license to build Mirage-III and F-1 planes, and also began producing its own Cactus missiles and Impala jet trainers plus other weapons. (2:60) South Africa poured money and effort into its domestic production effort, and as early as 1977 they were claiming 75 percent self-sufficiency in armaments. (10:1) Among those items in which South Africa is now considered self-sufficient are armored cars and personnel carriers, mortars and medium field guns, light aircraft and fighters, some missiles, heavy armored steel technology and basic infantry weapons and gear. (4:46) South Africa has concentrated its finances primarily on the

army and air force and has geared its navy toward coastal defense.

South Africa also reoriented its overseas arms procurement program. As arms supplies from its traditional sources became more difficult to obtain, Israel and Taiwan became important partners. Although much of the detail of these relationships is still secret, The New York Times says Israel reportedly has sold the South Africans technology packages containing the designs for several major Israeli weapons systems, including the Saar-class missile boats, the Gabriel sea-to-sea missile, and avionics electronic counter measures for South Africa's new Cheetah fighter-bomber. They have also reportedly helped South Africa develop a KC-135 type surveillance aircraft and air-to-air refueling capabilities. The military relationship is said to involve hundreds, if not thousands, of jobs in Israel's defense industries. (14:4) Both Israel and Taiwan reportedly cooperate with South Africa on nuclear weapons development. Taiwan, in return for its cooperation, has procured raw uranium for use in its nuclear generating plants. (2:64) Taiwan has also sold small weapons to South Africa.

Some proponents of the arms embargo defend its value in the financial cost to South Africa of establishing its own industry and of having to pay black market prices for

certain denied items. Certainly, defense expenditures rose considerably in the 1960's and most of 1970. The defense budget in 1976, for example, was 48 percent over the previous year. (2:63) However, arms outlays leveled off during the 1977-80 period and the proportion of GNP devoted to military expenditures (4-5 percent) compares favorably to the United States (5.4 percent) and the United Kingdom (4.4 percent). (7:76,77) Whatever the increased defense expenditures might have cost social and economic programs, the South African Government almost certainly considered it worthwhile. South Africa is today the 10th largest arms producer in the world and Armscor is reportedly one of the three biggest financial undertakings in South Africa. Counting its own employees and those of private subcontractors, it is reponsible for the jobs of some 100,000 South Africans (7:83, 84) South Africa's military is the largest and strongest in sub-Sahara Africa and the country cannot be said to lack the arms necessary to support or defend the apartheid system.

Neither do the South Africans lack the military means, for the political will, to continue their role in Namibia. The UN plan for the independence of Namibia, formulated in 1978, has not been implemented. The plan calls for a UN-supervised cease fire to be followe! by the

withdrawal of South African forces and free elections supervised by the UN. Implementation of the plan has been complicated by U.S. and South African linkage of implementation to the withdrawal of Cuban forces from Angola. President P.W. Botha proposed in March of 1986 that the plan be implemented beginning that August but conditioned the offer on the withdrawal of the Cubans from Angola, a condition unacceptable to the Angolans. (13:7) The South Africans have indicated they will devise their own solution if the UN plan proves unworkable. Assistant Secretary of State Chester Crocker's shuttle diplomacy between Luanda and Pretoria does not appear to have brought settlement closer.

Internally the South Africa of today is different from the South Africa of 1963. The apartheid system has changed over the years and many of its features have been liberalized or done away with. However, South Africa is still a segregationist state. Most of the pass laws affecting the movement of blacks were abolished in April 1986, but the Group Areas Act, which was not abolished, continued to control black movement by perpetuating segregated residential areas and restricting where blacks may live. While Indians and Coloreds have their own houses in parliament, blacks are still denied any political representation or say in running the country.

The changes that have taken place are likely the result of changing political and economic realities within the country. While it is outside the scope of this paper to analyze the changes to apartheid and the reasons behind them, the necessity of utilizing larger numbers of blacks in the economic mainstream and their increased economic power and political awareness must be considered as factors, as is the increasing awareness of whites that economic and political changes are necessary for the very survival of the country. There is, however, no evidence to suggest that the arms embargo or other sanctions or pressures from the West have influenced the changes. More likely they have had a negative effect in persuading the government to move at its own pace so as not to be seen as giving in to external pressures.

Clearly, the changes that supporters of sanctions have wanted to see come about in South Africa have not happened. Margaret Doxey writes in her study of sanctions that there is little evidence to show that sanctions are ever effective in achieving their intended goals. (5:125) One of the reasons sanctions are not successful is the difficulties encountered in enforcing them. The following chapter will examine some of the problems faced over the years in effectively implementing the arms embargo.

CHAPTER IV

Problems of Implementation, Enforcement

All sanctions, whether limited or general, positive or negative, suffer from common implementation and enforcement problems. An important problem in making sanctions effective is that the target country often has enough advance notice of implementation to take steps to insulate itself from the effects of the sanctions. The United States implemented its voluntary arms embargo in 1963 amid calls at the United Nations for mandatory sanctions. The South Africans correctly read the U.S. action as a first and not a final step in the campaign against it. Pressure from black Africans and other opponents of apartheid would likely force South Africa's other major arms suppliers, Britain and France, to step in line. Forewarned, the South Africans set about to develop their own means to produce the weapons they needed. By the time the mandatory arms embargo was passed by the United Nations in 1977 South Africa was fulfilling three-quarters of its requirements for armaments.

Another major problem encountered is the difficulty, indeed near impossibility, of making enforcement of a sanction total. The world is not bipolar nor are events controlled by a cabal of powerful countries. Countries will act according to what they perceive as their best national

interests, and a world grouping like the United Nations has no mechanism with which to force its members to abide by its decisions. Britain and France went along with the 1963 U.S. embargo in words only and continued to supply South Africa with major armaments systems up to 1977. Israel and Taiwan eventually came to fill the West's military role in South Africa. Though Israel and Taiwan must privately condemn apartheid, they could identify with South Africa's international pariah status. Having already been the objects of world condemnation themselves, they must have felt little political reason not to cooperate militarily with South Africa and the economic benefits made it worthwhile. It is likely, though, that Israel may now feel compelled to reassess its dealings with South Africa in light of the sanctions legislation passed by the U.S. Congress in October The act requires a report be submitted to the 1986. Congress within 179 days of enactment identifying countries engaging in arms sales to South Africa with a view to terminating U.S. military assistance to those countries. (16:Sec 508)

Even when governments of countries officially support sanctions, they often do not have the machinery in place to monitor enforcement. A 1982 staff report of the House Subcommittee on Africa, investigating alleged

violations by the Space Research Corporation (SRC), concluded that the U.S. Government lacked adequate procedures to effectively implement and enforce the embargo. (9:54) SRC officials were found quilty of violating the embargo from 1976-78 by sending to South Africa artillery shells, 155mm guns including three advanced prototypes, and other equipment. (9:41) In 1978 the Olin Corporation was indicted on 21 counts of illegal arms deals from 1971-75. (20:8) And a customs investigation in New York from 1979-81 resulted in a number of convictions for arms embargo violations, including attempts to illegally export helicopters. (12:1, B5) One South African source said that on the day the arms embargo was passed in 1977 "a high government official was telephoned by a man in New York who said he would deliver as many of a sophisticated American aircraft as might be required." (2:60)

The international black market and the use of third parties almost insure that sanctions will be unenforceable. Prior to the 1977 embargo, 11 Bell helicopters produced under American license in Italy made their way to South Africa via Israel and a U.S. controlled company in Singapore, and 100 Centurion tanks were purchased through a third party from India in 1978. (2:61) South Africa has also been able to obtain through third parties Centurion

tanks from Jordan, French Alouette and Super Frelon helicopters as well as light Soviet and East European arms. (15:267)

CHAPTER V

Conclusion

The arms embargo was enacted by the Kennedy administration against South Africa as a political gesture to show opposition to apartheid and to appease domestic and external critics of South Africa's racial policies. In terms of what the United States hoped the arms embargo would achieve internally in South Africa—change apartheid, limit military growth, and change Namibian policy—the arms embargo has been a manifest failure. Apartheid is still practiced, South Africa is still in Namibia, and its military might is stronger today that ever before. The embargo also failed to satisfy external opponents of apartheid, particularly black Africa. Calls continued in the United Nations for a mandatory embargo, which was finally approved in 1977. Now demands are increasingly heard for mandatory economic sanctions.

Sanctions are generally more useful as an internal gesture than as a foreign policy tool, and the arms embargo was a positive signal to black Americans of the Kennedy administration's determination to support black rights. Successive administrations have been able to maintain that the embargo is a signal to the South Africans of U.S. opposition to apartheid, while using the embargo to support

their own policy goals toward South Africa. The arms embargo in and of itself has now ceased to satisfy domestic critics of South Africa as a political gesture and now constitutes part of the broader sanctions enacted by Congress.

Can economic sanctions (with the threat of more to come) be expected to succeed where the arms embargo has failed? Economic sanctions can have a broader and more negative impact on South Africa than the arms embargo. But if one assumes that the objectives of economic sanctions are the same as the arms embargo, or at the least seek an end to the system of apartheid, then the answer must be probably not, for economic sanctions must inevitably suffer from the . same difficulties encountered in enforcing the arms embargo. It is easy to terminate landing rights for South African Airways but it is difficult to police import and export bans. Even if the United States were to set up the machinery needed to oversee the enforcement of the sanctions, front companies and third parties can effectively "beat the ban," as seen in cases involving arms deals. The United Nations has had an oil embargo in place against South Africa for over 30 years, and it is supported by OPEC. Yet, the Washington Post reports that a network of independent oil traders and shipping companies doctor customs documents and

falsify invoices and provide South Africa with an estimated 14 million tons of oil a year, most of it from Persian Gulf states, members of OPEC. The paper quotes the director of the South Africa Foundation in Washington as saying: "Given suitable prices, you will always find people prepared to make these sales." (23:17) There is also the probability that countries who have little to lose by flaunting the sanctions will do so, as Israel and Taiwan have done in regard to the arms embargo.

There is also the question as to how far economic sanctions can be extended before they rebound on the enforcer. South Africa is a major supplier to the United States of vital minerals, of which the only other major source for some is the Soviet Union. These minerals are used in products as diverse as jet engines to oil refineries. Prices of these metals increased in October after U.S. sanctions legislation was enacted over fear of South African retaliation. (22:ClA) A South African reduction or cut-off of these metals must be a major concern of the U.S. Government and have to be a factor in considering how broadly economic sanctions could be implemented.

It is unlikely that economic sanctions will have any more success as a gesture placating internal and external critics of apartheid than the arms embargo has had. As long

as apartheid is practiced in South Africa, it is likely calls for punitive measures against it will continue.

Beginning with sanctions imposed on Germany in the two world wars, studies almost unanimously agree that sanctions generally fail to achieve their avowed purposes.

U.S. sanctions against Cuba drove Castro into Soviet arms and did not stop Cuban export of revolution to Latin

America. American sanctions against the Soviet Union did not influence the Soviet invasion of Afghanistan nor did they stop completion of the natural gas pipeline from the USSR into West Europe. Even international sanctions against Rhodesia are believed to have been of limited impact and less significant than the guerrilla war, the loss of supply lines through the independence of Angola and Mozambique, and South African pressure for a settlement. (5:78-79)

Why, then, does the United States continue to employ sanctions? There are probably as many reasons as there are target countries, but the need to be seen as doing something is important. It can be necessary for a government's image, both domestically and internationally, that it be seen as confronting an undesirable action or an undesirable government of another country. Sanctions can be employed as a warning to governments that future actions of the sort that prompted sanctions will carry a price tag. Sanctions

can be employed to silence domestic or international critics or to curry favor with groups advocating action. And there are some who disregard the historical record and believe sanctions can, in fact, achieve stated objectives.

Margaret Doxey concludes from studying sanctions that keeping lines of communications open is a more effective way to solve problems than coercion. (5:132) Sanctions cut off communications and make understanding more difficult. Target countries tend to become defensive and resentful over what they see as interference in their own affairs. The extent to which the United States could influence changes in South Africa -- and this is open to debate--certainly narrowed with the imposition of the arms embargo. Enforcement of the arms embargo, as part of general U.S. foreign policy towards South Africa, has varied so much with each administration as to send conflicting signals to the South Africans. Prime Minister Vorster, who served from 1966-78, once remarked of U.S. policy: "If only I knew what it was." (2:56) Now growing anti-Americanism is reported among whites in South Africa over what they see as the U.S. leading role in the campaign for sanctions against their country.

U.S. economic sanctions against South Africa may be good domestic press in the short term, but they are unlikely

that they suffer from the same limitations as the arms embargo. With Congress playing a foreign policy role in mandating sanctions against South Africa, the Government may find its foreign policy options increasingly limited. Sanctions once enacted are difficult to abolish. Whatever policy the United States pursues toward South Africa, it will have to be undertaken in the shadow of sanctions. If lines of communication can be kept open with South Africa, they might be useful in trying to quietly influence South Africa to make the changes in its domestic policies which the use of sanctions will almost certainly fail to make.

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